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## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0220 – Double Creek Village

**Z.A.P. DATE:** October 6, 2009

November 3, 2009

November 17, 2009

December 1, 2009

January 5, 2010

February 16, 2010

April 20, 2010

October 5, 2010

November 2, 2010

**ADDRESS:** 10200 – 10614 South IH 35 Service Road Southbound

**OWNER:** Sterling/Babcock & Brown  
Double Creek LP  
(Drew Ireland)

**AGENT:** Alice Glasco Consulting  
(Alice Glasco)

**ZONING FROM:** I-RR; CS

**TO:** CS-MU

**AREA:** 48.44 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant general commercial services – mixed use (CS-MU) combining district zoning. The Conditional Overlay prohibits the following uses: adult-oriented uses; bail bond services, campground; commercial blood plasma center; drop-off recycling collection facility; equipment sales; exterminating services; kennels; monument retail sales; pawn shop services; residential treatment; and transitional housing.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated October 27, 2010, as provided in Attachment A.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

October 6, 2009: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO NOVEMBER 3, 2009; BY CONSENT.*

*[T. RABAGO; C. BANKS – 2<sup>ND</sup>] (7-0)*

November 3, 2009: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO NOVEMBER 17, 2009; BY CONSENT.*

*[D. TIEMANN; S. BALDRIDGE – 2<sup>ND</sup>] (7-0)*

November 17, 2009: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO DECEMBER 1, 2009; BY CONSENT.*

*[S. BALDRIDGE; T. RABAGO – 2<sup>ND</sup>] (6-0) D. TIEMANN – ABSENT*

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December 1, 2009: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 5, 2010; BY CONSENT.*

*[D. TIEMANN; C. BANKS – 2ND] (7-0)*

January 5, 2010: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 19, 2010; BY CONSENT.*

*[D. TIEMANN, C. BANKS – 2ND] (5-0) T. RABAGO – NOT YET ARRIVED;  
G. BOURGEOIS – ABSENT*

February 16, 2010: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO APRIL 20, 2010; BY CONSENT.*

*[S. BALDRIDGE, G. BOURGEOIS – 2ND] (7-0)*

April 20, 2010: *TO GRANT AN INDEFINITE POSTPONEMENT AS STAFF RECOMMENDED; BY CONSENT.*

*[S. BALDRIDGE, D. TIEMANN – 2ND] (7-0)*

October 5, 2010: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO NOVEMBER 2, 2010.*

*[S. BALDRIDGE; T. RABAGO – 2ND] (7-0)*

November 2, 2010:

#### **ISSUES:**

The Applicant has met with representatives of the Onion Creek Homeowners Association to discuss the zoning request.

#### **DEPARTMENT COMMENTS:**

The subject zoning/rezoning area is undeveloped, has access to the IH-35 frontage road and Old San Antonio Road. The majority of the subject area is zoned interim – rural residence (I-RR) district, with the portion extending down to FM 1826 zoned general commercial services – conditional overlay (CS-CO) by way of a 2003 case also named Double Creek Village. This extension between the IH 35 frontage road and FM 1826 was shown as Stablewood Drive on a Preliminary Plan of Stablewood at Slaughter Creek. The Preliminary Plan also included adjacent properties to the north, west and south. Since this particular area of the Preliminary Plan did not proceed to the final plat stage, it has expired. Within the past several years, zoning for new commercial development and redevelopment has been approved for properties south of West Slaughter Lane in proximity to the IH-35 frontage road and at its intersection with FM 1626 (zoned GR-CO – Wal-Mart, South Park Meadows; CS-CO – Janssen Tract, Double Creek Village Phase I; CS-MU-CO – Harrell Tract #5, and Double Creek Village Phase II). Please refer to Exhibits A (Zoning Map), A-1 (Vicinity Map), A-2, (Aerial Vicinity Map) and A-3 (Aerial View).

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The Applicant proposes to zone the property general commercial services – mixed use – conditional overlay (CS-MU-CO) district for up to 250,000 square feet of shopping center uses, 400 hotel rooms, 48,000 square feet of sit-down restaurants, 16,000 square feet of restaurants with drive-through service, and 8,000 square feet of financial services with drive-through services, to be constructed in two phases. It is anticipated that Phase I will be complete in 2013 and Phase 2 in 2018. The Mixed Use designation would allow for residential development to occur in conjunction with commercial development. The Applicant has offered to prohibit several uses and these have been incorporated into the Staff recommendation.

The zoning area also includes right-of-way for a loop road extending between FM 1626 and IH 35 (Tract 3), which will be dedicated at the time the zoning is finalized. As shown in Exhibit B, two driveways are proposed to the southbound IH 35 frontage road and three driveways are proposed to the new loop road. Vehicular access is not proposed to Old San Antonio Road. That portion of Old San Antonio Road that is west of the (approximately) triangular GR-CO area (C14-03-0053 as shown on Exhibit A) and extending to FM 1626 is proposed to be vacated with a cul-de-sac installed at the north portion. The vacated portion will be available to the adjoining MF-3-CO/GR-MU-CO and GR-CO properties to the west and east, respectively.

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the southbound IH-35 frontage road which is suitable for commercial uses; 2) properties to the north that access Slaughter Lane and south along the IH-35 frontage road have been approved for GR-CO or CS-CO zoning for similar commercial and retail development; and 3) the Traffic Impact Analysis requires right-of-way dedication for the new loop road, and establishes intersection improvements for the new loop road at the IH 35 frontage road and FM 1826, as well as in proximity to the site.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR; CS-CO	Undeveloped
<i>North</i>	CS-MU-CO; GR-MU-CO; GR-CO; GR-MU-H-CO	Undeveloped; Single family residence; Restaurant, Theater, Auto repair service
<i>South</i>	I-RR; SF-2; CS-CO; CS-MU-CO	Undeveloped; Auto sales
<i>East</i>	N / A	Southbound service road of IH 35
<i>West</i>	GR-CO; SF-2; I-RR; MF-2-CO	Undeveloped; A few single family residences; Akins High School and football field

**AREA STUDY:** N / A

**TIA:** Is required – please refer to Attachment A

**WATERSHEDS:** Onion / Slaughter Creeks      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

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26 – Far South Austin Community Association  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District    777 – Parkside at Slaughter Creek HOA  
 786 – Home Builders Association of Greater Austin  
 1037 – Homeless Neighborhood Association    1075 – League of Bicycling Voters  
 1113 – Austin Parks Foundation                      1164 – Austin Southwest Association  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project

**SCHOOLS:**

Menchaca Elementary School

Paredes Middle School

Akins High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0111 – 10301 Old San Antonio Road Rezone	MF-2-CO to MF-2-CO, to change a condition of zoning regarding driveway access	Scheduled for November 2, 2010	Scheduled for November 4, 2010
C14-05-0119 – P.C.W. Construction Equipment and Sales – 10704 South IH 35 Service Road Southbound	I-RR to CS	To Grant CS-CO with CO for 2,000 trips	Approved CS-CO as Commission recommended (9-29- 05).
C14-04-0160 – Harrell Tract #5 – 10184 – 10224 South IH-35 Service Road Southbound; 10101 – 10139 Old San Antonio Road	I-RR to CS-MU- CO	To Grant CS-MU-CO with CO prohibiting certain uses and limiting development to 2,000 daily trips	Approved CS-MU-CO as Commission recommended (12-2- 04).
C14-04-0126 – Harrell Tract #4 - 10100 – 10182 South IH-35 Service Road	I-RR to CS-CO	To Grant CS-CO with CO for list of prohibited uses, RC for the TIA and establish that the minimum size	Approved CS-CO as Commission recommended (12-2- 04).

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Southbound; 10100 – 10128 Old San Antonio Road		for a stand-alone restaurant is 300 square feet	
C14-03-0053 – Double Creek Village – 11000 Block of South IH-35 Service Road Southbound	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions of the TIA. CO is for list of prohibited uses; and prohibits access to Old San Antonio Road. Restrictive Covenant for the TIA.	Approved CS-CO for Tract 1 and GR-CO for Tract 2 with Restrictive Covenant for the TIA as recommended by ZAP (12-11-03).
C14-02-0052 – Wedding Facility, Catering and Restaurant – 10300 Old San Antonio Road	I-RR to GR-MU-CO	To Grant GR-MU-CO with CO limiting development of the property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35 feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Road	Approved GR-MU-CO with RC as Commission recommended (8-22-07).
C14H-01-0104 – Wedding/Catering Facility (Matthew Brown Homestead) – 10140 Old San Antonio Road	I-RR to GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2	To Grant GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2, with CO for 35' height, 1,000 trips per day, 50% building coverage, 60% impervious cover, uses limited to bed and breakfast. RC to define the types of gatherings that would occur; r-o-w on Old San Antonio Road	Approved GR-MU-H-CO for Tract 1; GR-MU-CO for Tract 2, with CO and RC as Commission recommended, with additional permitted uses of indoor and outdoor entertainment, and restaurants except t(11/29/01).
C14-00-2031 – Stablewood Apartments – Old San Antonio Road	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Road, 15' wide vegetative buffer adjoining SF-2 zoned	Approved MF-2-CO as PC recommended (8-17-00).

		property, and 2,000 trips per day	
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**RELATED CASES:**

The subject property was annexed into the City limits on December 31, 1997.

The subject property as well as adjacent surrounding properties were originally part of the Stablewood at Slaughter Creek Preliminary Plan Revision #1, approved on August 31, 1999 (C8-95-0211.02). As shown in Exhibit C, the Preliminary Plan included a mix of retail, office/commercial, single family residences, recreation center and open space. The Preliminary Plan included a loop road known as Stablewood Drive extending between the IH-35 frontage road and FM 1826 (in a similar configuration to that proposed with the subject application). This eastern portion of the Stablewood Preliminary Plan did not proceed to the final plat stage, and has expired.

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
South IH 35 Service Road Southbound	380 feet	Varies	Six-lane freeway Two-lane undivided major arterial	No	No	Priority 2, Route 421
East FM 1826 Old San Antonio Road	114 feet	21 feet	major arterial	No	201	Priority 2, Route 446
	56 feet	21.5 feet	Local	No	No	No

*Additional information:* Old San Antonio Road is a substandard collector roadway without curb and gutter or sidewalks. A portion of the road east of the site is within the floodplain of Slaughter Creek. The road provides access to Akins High School and has a posted speed limit of 35 MPH.

**CITY COUNCIL DATE:** November 19, 2009

**ACTION:** Approved a Postponement request by the Staff to January 14, 2010 (7-0).

January 14, 2010

Approved a Postponement request by Staff to March 11, 2010 (7-0).

March 11, 2010

Approved a Postponement request by Staff to April 29, 2010 (7-0).

April 29, 2010

Approved an Indefinite Postponement

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request by Staff (7-0).

November 4, 2010

**ORDINANCE READINGS:** 1<sup>st</sup>

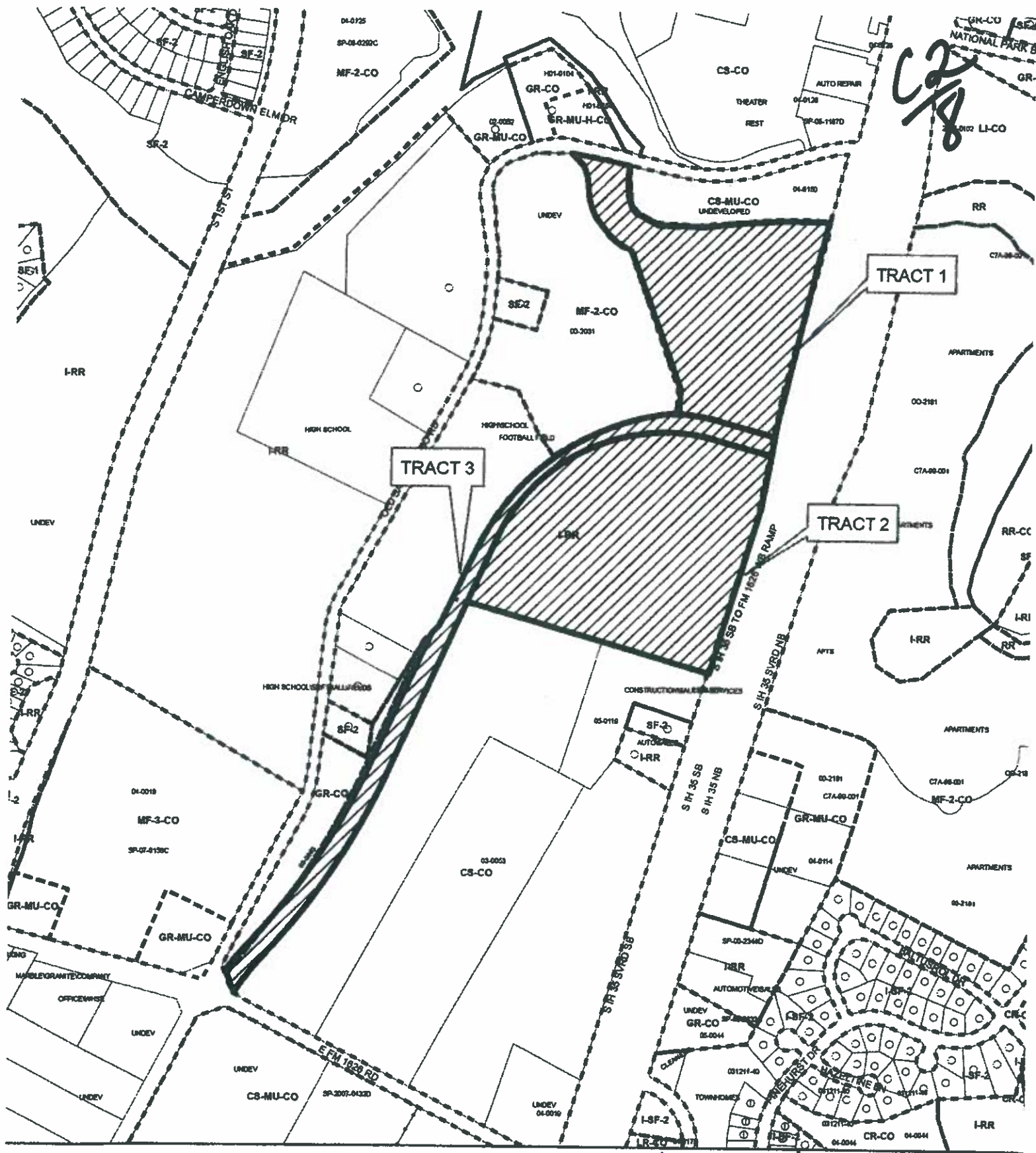
2<sup>nd</sup>

3<sup>rd</sup>

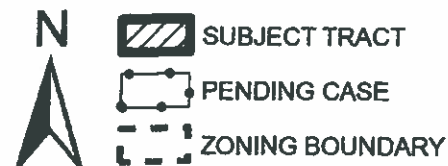
**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us

**PHONE:** 974-7719



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# ZONING

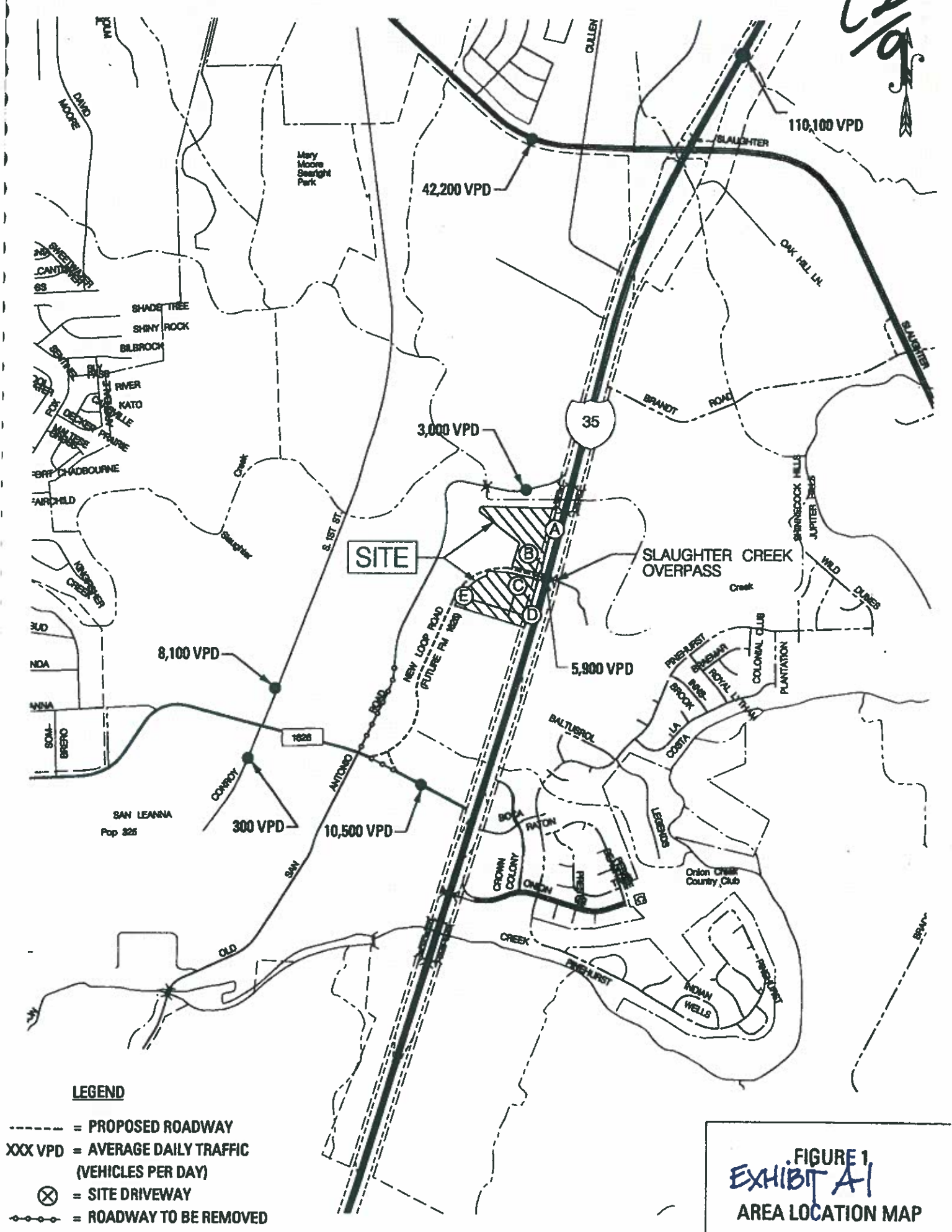
Exhibit A

ZONING CASE#: C14-2008-0220  
 LOCATION: 10200-10614 S IH 35 SVRD SB  
 SUBJECT AREA: 48.144 ACRES  
 GRID: F11-12  
 MANAGER: WENDY RHOADES



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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# DOUBLE CREEK VILLAGE - ZONING

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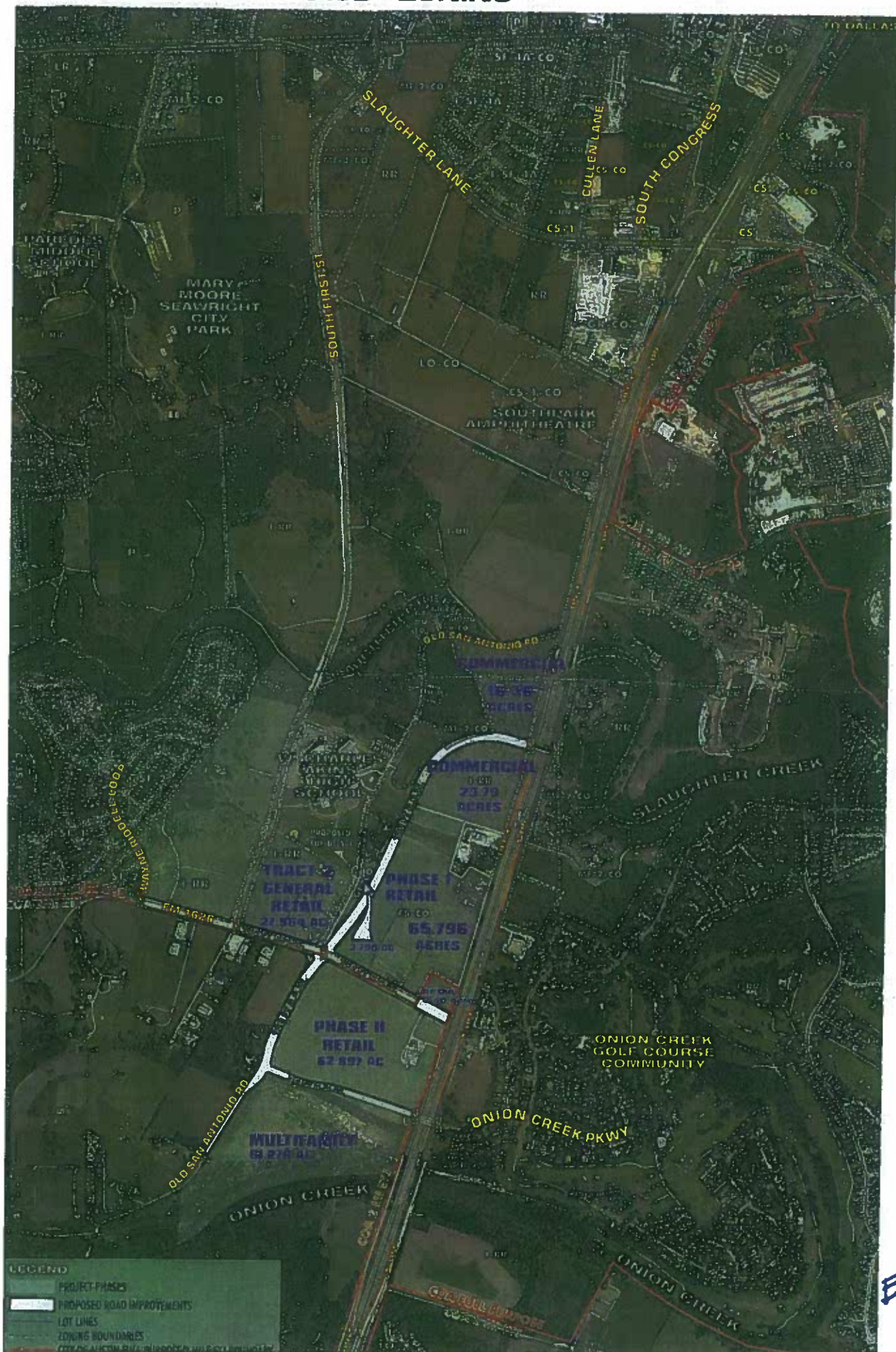
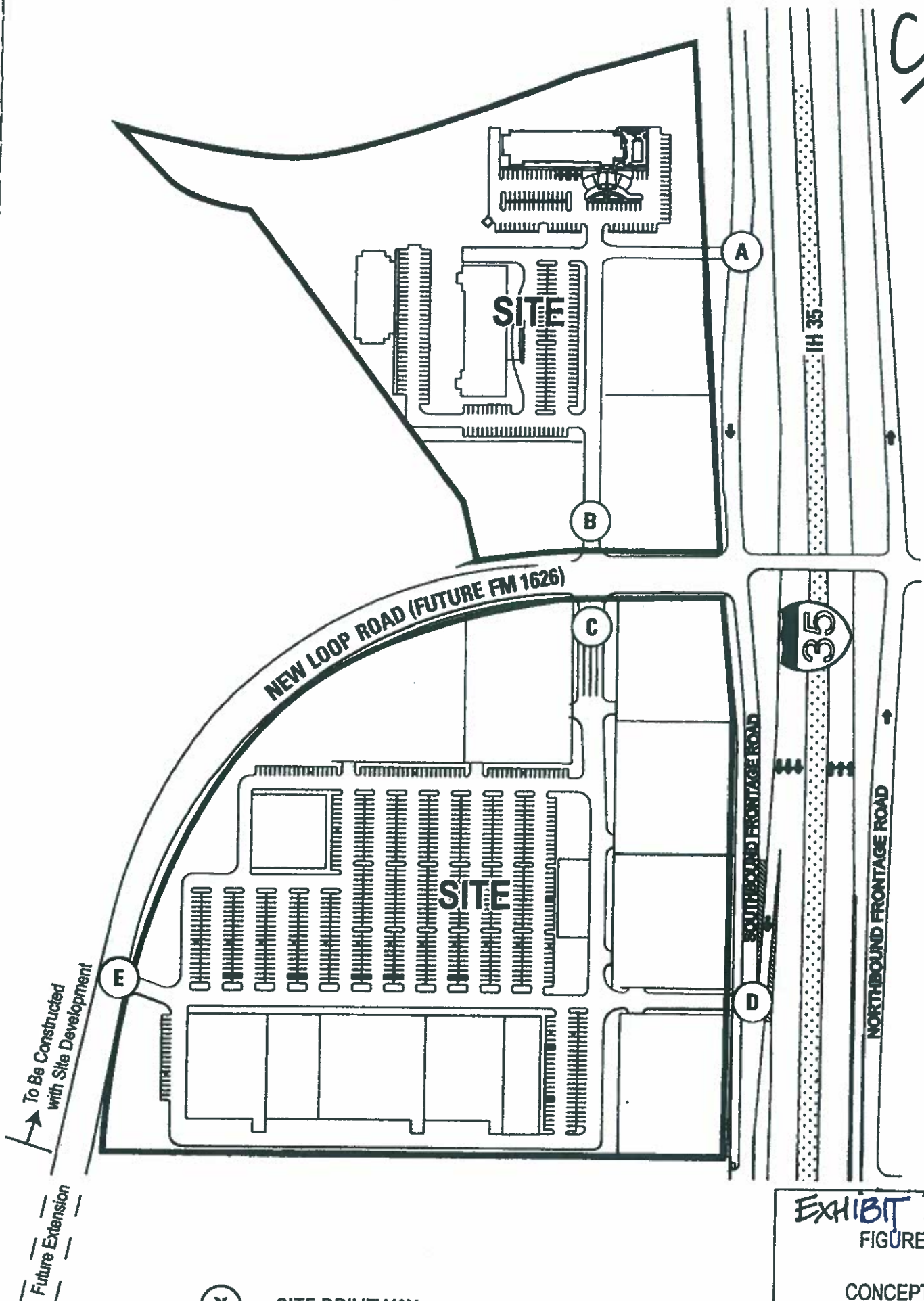


EXHIBIT A-2



SUBJECT TRACT

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(X) = SITE DRIVEWAY

EXHIBIT B  
FIGURE 1A

CONCEPTUAL  
SITE PLAN



**ZONING  
REZONING  
AREA**

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SCALE: 1" = 200'  
 PREPARED BY: CITY OF AUSTIN PLANNING

CB-95 0211

# PRELIMINARY PLAN

**SCHOOL SITE**  
 (See Annex A Part of the  
 Preliminary Plan)

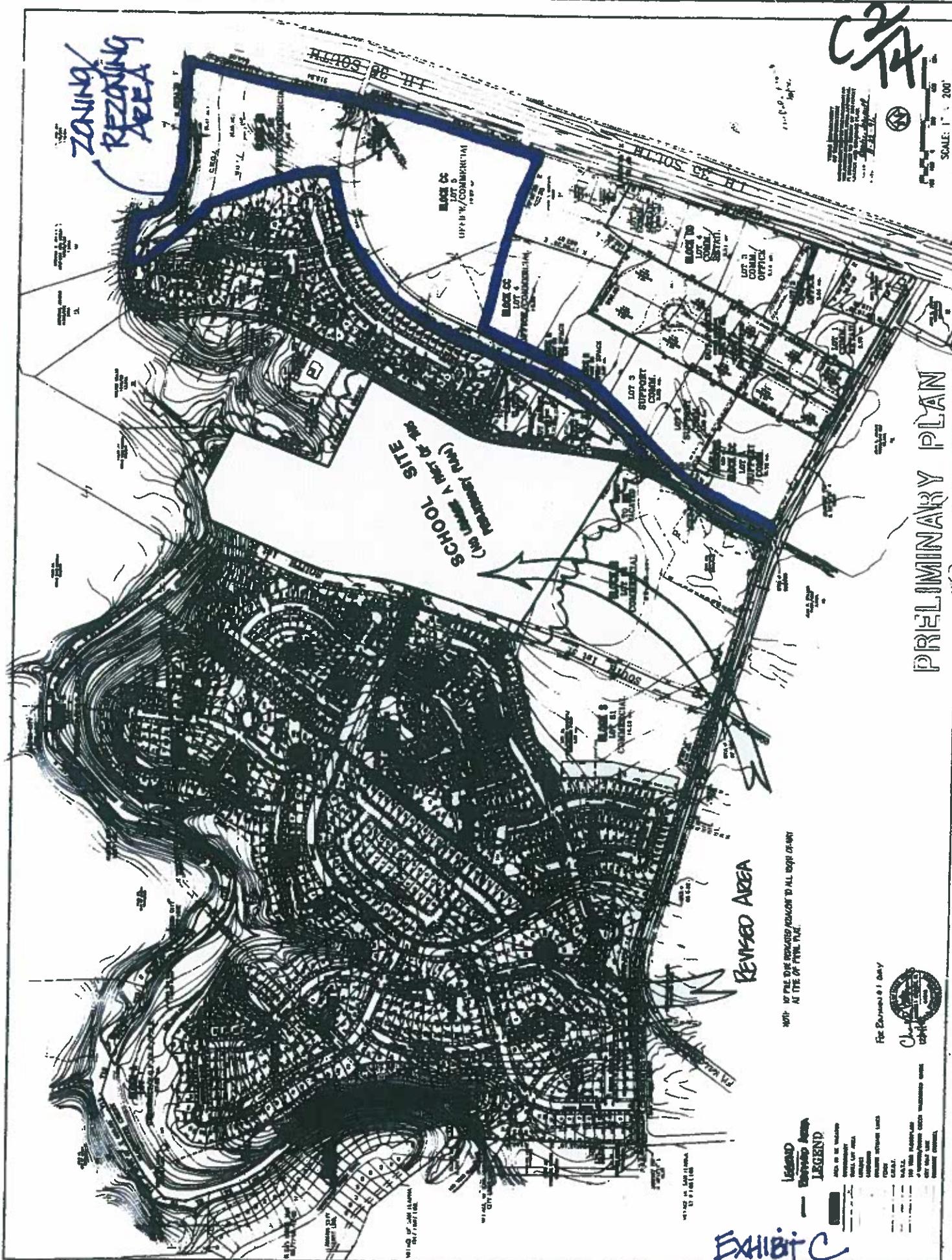
**REVENUE AREA**

NOTE: IF THE DATE SPECIFIED IS SUBJECT TO ALL LOCAL ORDINANCES  
 AT THE CITY OF AUSTIN PLANNING

**LEGEND**  
 - **Revised Area**  
**LEGEND**



**EXHIBIT C**



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**Date:** October 27, 2010  
**To:** Wendy Walsh, Case Manager  
**CC:** Kathy Hornaday, P.E., HDR|WHM  
**Reference:** Cityview at Double Creek - TIA Final Memo C14-2008-0220

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The proposed Cityview at Double Creek development is located at the southwest corner of the intersection of IH 35 West Frontage Road and Old San Antonio Road, in Austin, Texas. This 30.6-acre development is anticipated to consist of 250,000 square feet of shopping center, two hotels with 200 rooms each, 48,000 square feet of high turnover restaurant, 16,000 square feet of fast food restaurant with drive-thru, and 8,000 square feet of drive-in bank. The property is currently vacant and the development is anticipated to be completed in two phases. Phase 1 will be completed in 2013 and Phase 2 in 2018.

Access to the development is proposed via two driveways on IH 35 West Frontage Road and three driveways on proposed New Loop Road. An extension of Slaughter Creek Overpass is proposed as part of the Cityview at Double Creek development. This extension, New Loop Road, will traverse the site and connect to Slaughter Creek Overpass at IH 35 West Frontage Road.

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Cityview at Double Creek TIA, dated October 20, 2008 (revised October, 2010), prepared by Kathy Hornaday, P.E., HDR|WHM and offer following comments:

### **TRIP GENERATION**

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 31,901 unadjusted average daily

ATTACHMENT A

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trips (ADT) upon build out (18,200 trips in Phase 1 and 13,701 trips in Phase 2). The table below shows the adjusted trip generation by land uses for the proposed development:

<b>Table 1: Adjusted Trip Generation</b>						
<b>Proposed Land Use</b>	<b>Size (sf)</b>	<b>ADT</b>	<b>AM Peak Hour</b>		<b>PM Peak Hour</b>	
			<b>Enter</b>	<b>Exit</b>	<b>Enter</b>	<b>Exit</b>
<b>Phase 1</b>						
Shopping Center	250,000	9,714	157	101	345	374
Hotel (Rooms)	200	1,695	74	53	65	68
High Turnover Restaurant	5,000	474	29	27	18	11
Fast-Food Restaurant with Drive-Thru	3,000	714	39	38	26	24
Drive-in Bank	8,000	1,433	52	41	92	92
<b>Subtotal</b>		<b>14,030</b>	<b>351</b>	<b>260</b>	<b>546</b>	<b>569</b>
<b>Phase 2</b>						
Hotel (Rooms)	200	1,695	74	53	65	68
High Turnover Restaurant	43,000	4,077	245	226	155	99
Fast-Food Restaurant with Drive-Thru	13,000	3,094	171	164	111	103
<b>Subtotal</b>		<b>8,866</b>	<b>490</b>	<b>443</b>	<b>331</b>	<b>270</b>
<b>Total</b>		<b>22,896</b>	<b>841</b>	<b>703</b>	<b>877</b>	<b>839</b>

### ASSUMPTIONS

1. Traffic growth rates for the area were examined using previously collected traffic volumes from TxDOT and were assumed at four (4) percent annually.
2. Background traffic volumes for Year 2013 include estimated traffic for the Double Creek Village - Phase II and Saunders 143 developments.
3. Reductions taken for pass-by and internal capture are shown in Table 2 below.

<b>Table 2: Summary of Pass-By, Internal Capture and Transit Reductions</b>				
<b>Land Use</b>	<b>Pass-By Reductions %</b>		<b>Internal capture %</b>	
	<b>AM Peak</b>	<b>PM Peak</b>	<b>AM Peak</b>	<b>PM Peak</b>
Shopping Center	0	34	5	5
Hotel			5	5
High Turnover Restaurant	0	43	5	5
Fast-Food Restaurant with Drive-Thru	49	50	5	5
Drive-in Bank	0	47	5	5

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## EXISTING AND PLANNED ROADWAYS

**IH 35** is classified as a six-lane freeway between Slaughter Lane and FM 1626 by the Austin Metropolitan Area Transportation Plan (AMATP) and the Capital Area Metropolitan Planning Organization (CAMPO) 2030. According to TxDOT traffic counts, the 2006 traffic volume on IH 35, north of Slaughter Lane, was approximately 110,100 vehicles per day (vpd). The Austin Bicycle Plan recommends Priority 2 Route 421 from William Cannon Drive to FM 1626 on the IH 35 frontage roads.

According to the CAMPO 2030 Mobility Plan, IH 35 is planned to be upgraded to an eight-lane freeway with managed lanes between Slaughter Lane and FM 1626. According to the AMATP, IH 35 is planned to be upgraded to an eight-lane freeway between Slaughter Lane and FM 1626.

**FM 1626** is classified as a two-lane undivided major arterial and a four-lane divided major arterial between IH 35 and Manchaca Road per the CAMPO 2030 Transportation Plan and AMATP. According to TxDOT traffic counts, the 2006 traffic volume on FM 1626, west of IH 35, was approximately 10,500 vpd. The Austin Bicycle Plan recommends Priority 2 Route 446 along FM 1626 from IH 35 to Manchaca Road. FM 1626 is planned to be upgraded to a four-lane divided major arterial between IH 35 and Manchaca Road by Travis County (and others), between Bliss Spiller Road and IH 35.

**Slaughter Lane** is classified as a six-lane divided major arterial between Manchaca Road and Onion Creek per the AMATP and the CAMPO 2030 Transportation Plan. 24-hour traffic data are not available at this location; however, based on a review of the 2008 peak period traffic counts, approximately 42,200 vpd are estimated on Slaughter Lane, west of IH 35. The Austin Bicycle Plan recommends Priority 1 Route 86 along Slaughter Lane from IH 35 to South First Street.

**Slaughter Creek Overpass** is a two-lane bridge over IH 35. 24-hour traffic data are not available at this location; however, based on a review of the 2008 peak period traffic counts, approximately 5,900 vpd are estimated on Slaughter Creek Overpass. An extension of Slaughter

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Creek Overpass is proposed as part of this development project. This extension, New Loop Road, will traverse the site and terminate immediately south of the proposed development. As part of the FM 1626 project, Slaughter Creek Overpass will also be widened to a five-lane bridge section with U-turn lanes by TxDOT.

**South First Street/Conroy Lane** is a four-lane divided roadway, north of FM 1626. 24-hour traffic data are not available at this location; however, based on a review of the 2008 peak period traffic counts, approximately 8,100 vpd are estimated on South First Street, north of FM 1626. Conroy Lane aligns with South First Street and is a two-lane undivided roadway, south of FM 1626. The Austin Bicycle Plan recommends Priority 2 Route 222 along South First Street from Slaughter Lane to FM 1626.

**Old San Antonio Road** is a two-lane undivided roadway. 24-hour traffic data are not available at this location; however, based on a review of the 2008 peak period traffic counts, approximately 3,000 vpd are estimated on Old San Antonio Road, west of IH 35 West Frontage Road. No improvements are currently planned for this roadway near the site.

## INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 12 intersections, two of which are signalized. The results are summarized in table below. The build-out condition level of service (LOS) assumed that all roadway and intersection improvements recommended in this TIA are constructed.

Table 3 : Intersection LOS										
			Phase 1				Phase 2			
	2008 Existing		2013 Forecasted without Improvem ents*		2013 Site + Forecasted with Improvem ents		2018 Forecasted without Improvem ents*		2018 Site + Forecasted with Improvem ents	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
IH 35 and Slaughter Lane*	F	F	F	F	F	F	F	F	F	F
South First Street/Conroy Lane and FM 1626*	C	D	E	F	B	D	D	D	D	D

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IH 35 West Frontage Road and Slaughter Creek Overpass	B	F	B	F	-	-	-	-	-	-
IH 35 East Frontage Road and Slaughter Creek Overpass/Private Driveway	F	F	F	F	-	-	-	-	-	-
IH 35 and Slaughter Creek Overpass/New Loop Road(FM 1626)/Private Driveway	-	-	-	-	D	D	D	C	D	C
IH 35 West Frontage Road and Old San Antonio Road	A	A	A	A	A	A	A	B	A	C
IH 35 West Frontage Road and FM 1626	A	D	A	A	A	A	A	A	A	A
Old San Antonio Road and FM 1626	D	A	F	F	C	D	F	D	B	A
FM 1626 and Old FM 1626	-	-	-	-	-	-	A	E	A	D
IH 35 West Frontage Road and Driveway A	-	-	-	-	A	A	A	A	A	A
New Loop Road and Driveway B/Driveway C	-	-	-	-	A	B	A	C	C	C
IH 35 West Frontage Road and Driveway D	-	-	-	-	A	A	A	A	A	A
New Loop Road and Driveway E	-	-	-	-	A	A	A	A	A	A

\* = Signalized

## RECOMMENDATIONS

1. Right-of way dedication for the New Loop Road (called out as Tract 3 in the field notes) as shown in the zoning map for case C14-2008-0220 will be required prior to the 3<sup>rd</sup> reading of the Council.
2. Pro-rata share of fiscal is required to be posted for the following improvements prior to any site development permit. Cost estimates must be approved by TxDOT and COA Transportation Department Signals Division.

Intersection	Improvements
IH 35 and Slaughter Lane	<ol style="list-style-type: none"> <li>Re-striping of the eastbound Slaughter Lane approach to provide three through lanes.</li> <li>Construction of an eastbound right-turn deceleration bay with the associated southbound acceleration bay at the IH 35 West Frontage Road.</li> </ol>
South First Street / Conroy Lane and FM 1626	<ol style="list-style-type: none"> <li>Construction of a westbound right turn lane</li> </ol>
IH 35 and Slaughter Creek Overpass/New Loop Road/Private Driveway	<ol style="list-style-type: none"> <li>Installation of traffic signals along Slaughter Creek Overpass at both the IH 35 East and West Frontage Roads (To be installed and funded by TxDOT).</li> <li>Re-stripe the northbound approach of IH 35 East Frontage</li> </ol>


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	Road to provide one left-turn/through lane and one through/right-turn lane. iii. Re-stripe the southbound approach of IH 35 West Frontage Road to provide one left-turn lane and one through lane.
Slaughter Creek Overpass Extension	i. Construct a southbound right-turn deceleration lane on IH 35 West Frontage Road. ii. Construct a northbound left-turn lane on IH 35 East Frontage Road. iii. Construct a westbound right-turn lane on the private driveway. iv. Optimize signal timing during both the AM and PM peak periods.
IH 35 West Frontage Road and FM 1626	1. Construction of acceleration lane on IH 35 West Frontage Road for eastbound right turns

3. All driveways should be constructed to the recommended alignment and widths as outlined in the TIA and will be reviewed during site plan process to meet TCM and TxDOT standards.
4. TxDOT and COA Transportation Department Signals Division have approved the TIA.
5. Two copies of the final TIA are required to be provided prior to third Reading at City Council.
6. Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2219.

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 Sangeeta Jain  
 Senior Planner  
 Planning and Development Review

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21**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant general commercial services – mixed use (CS-MU) combining district zoning. The Conditional Overlay prohibits the following uses: adult-oriented uses; bail bond services, campground; commercial blood plasma center; drop-off recycling collection facility; equipment sales; exterminating services; kennels; monument retail sales; pawn shop services; residential treatment; and transitional housing.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated October 27, 2010, as provided in Attachment A.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

General commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The MU, Mixed-Use district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

The property has access to the IH-35 southbound frontage road.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the southbound IH-35 frontage road which is suitable for commercial uses; 2) properties to the north that access Slaughter Lane and south along the IH-35 frontage road have been approved for GR-CO or CS-CO zoning for similar commercial and retail development; and 3) the Traffic Impact Analysis requires right-of-way dedication for the new loop road, and establishes intersection improvements for the new loop road at the IH 35 frontage road and FM 1826, as well as in proximity to the site.

**EXISTING CONDITIONS****Site Characteristics**

The subject property consists of undeveloped land. The northern portion of the property slopes towards Slaughter Creek which forms the northern boundary. The southern portion of the site is relatively flat and there appear to be no significant topographical constraints.

**Impervious Cover**

The maximum impervious cover allowed by the CS zoning district is 80% based on the more restrictive watershed regulations described below.

C2  
22**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed and the Onion Creek Watershed of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

**Transportation**

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

C2  
23**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Site Plan and Compatibility Standards**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along a portion of the west property line, the following standards apply:

- No structure may be built within 25 feet of the property line zoned or used as SF-2.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0220

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Oct. 5, 2010, Zoning & Platting Commission

Nov. 4, 2010, City Council

Rick Shelton, Managing Partner of

Your Name (please print) Shelton-Stablewood, LLC

10301 Old San Antonio Rd.

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 210-490-2500

9-30-10

Comments: Our property is landlocked & can only gain access through the Double Creek Property. Property owner is UNWILLING to provide access & we request to have the right-of-way associated with Double Creek dedicated at the time of this zoning case.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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